

**RECOMMENDING COMMITTEE AGENDA**  
**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

PRESENT: COUNCILMAN WEEKLY and COUNCILWOMAN McDONALD

Also Present: DEPUTY CITY MANAGER DOUG SELBY, CHIEF DEPUTY CITY ATTORNEY VAL STEED, DIRECTOR OF PLANNING AND DEVELOPMENT ROBERT GENZER, MANAGER OF FINANCE AND BUSINESS SERVICES JIM DiFIORE, PLANNING SUPERVISOR CHRIS GLORE, PLANNING AND DEVELOPMENT, and DEPUTY CITY CLERK DEENY ARAUJO

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:02)

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**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**ABEYANCE ITEM - Bill No. 2001-66** – Amends the Zoning Code to require the submittal of a cross section in connection with the development of sites with a natural grade over 4%.

Sponsored by: Councilwoman Lynette Boggs McDonald

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will require the submittal of a cross section in connection with the development of sites with a natural grade over 4%. The submittal of the cross section during the application process will allow the Planning and Development Department and the Department of Public Works the opportunity to address concerns associated with any grade alterations that are proposed in connection with the development.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2001-66

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. 2001-66 be forwarded to the Full Council as amended with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development, explained that this item was held in abeyance from the last meeting to allow staff to meet with representatives of the development community to discuss their concerns.

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 1 – **ABEYANCE ITEM** – Bill No. 2001-66

**MINUTES – Continued:**

CHRIS GLORE, Planning and Development, detailed the modifications made to the bill. They include the elimination of the required cross section that is submitted with the rezoning application for any zone except the R-PD zone. Under Title 19A, at present, the R-PD zone application requires a Site Development Plan review application simultaneous with the rezoning application. Cross section information is required as part of the Site Development Plan review as proposed in the first amendment.

Additionally as requested by the National Association of Industrial and Office Properties (NAIOP), staff recommended that this bill only apply to development sites where twenty percent or more of the site is over four percent natural grade.

MICKY JOHNSON, speaking on behalf of NAIOP, expressed her appreciation to staff for hearing and addressing all of NAIOP's concerns. She stated that the proposed first amendment as written is something they can deal and live with.

COUNCILWOMAN McDONALD thanked the representatives from NAIOP for working with staff in streamlining the language, the result of which has produced a better ordinance because of their input.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03 – 4:06)

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2001-71** – Annexation No. A-0013-00(A) – Property Location: On the northeast corner of Campbell Road and Jakes Place; Petitioned By: Log Cabin & El Capitan LLC, et al; Acreage: 7.66 acres; Zoned: R-A (County Zoning) U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northeast corner of Campbell Road and Jakes Place. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 24, 2001) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2001-71 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. 2001-71 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED said the bill is in order.

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 2 – Bill No. 2001-71

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06)

**1-106**

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2001-72** – Annexation No. A-0012-01(A) – Property Location: On the north side of Elkhorn Road approximately 100 feet east of Pioneer Way; Petitioned By: Jeffrey and Tammi Owens; Acreage: 0.53 acres; Zoned: R-E (County Zoning) R-E (City Equivalent); Sponsored by: Councilman Michael Mack (**NOTE: The petitioner on the Annexation application was Antonio Madrid, previous owner.**)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north side of Elkhorn Road approximately 100 feet east of Pioneer Way. The annexation is based upon the petition of a previous owner in consideration of connection to City sewer facilities. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 24, 2001) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2001-72 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. 2001-72 be forwarded to the Full Council on 8/15/2001 with no recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 3 – Bill No. 2001-72

**MINUTES – Continued:**

ROBERT GENZER, Director of Planning and Development, explained that staff had made an error regarding the annexation process of this property, which was originally petitioned by the previous owner, Antonio Madrid, for annexation as part of a sewer hookup.

The property owner TAMMI OWENS, 7380 Elkhorn, appeared to request this property not be annexed. She explained that by annexing her property, the City would be piece-mealing which is not in compliance with the NRS statutes. She believes this situation will impose a financial hardship on her family citing not only the increased traffic on Elkhorn but also the possibility that it might deter prospective buyers from purchasing her home. She stated that she prefers her property remain within the County where the taxes are lower.

COUNCILWOMAN McDONALD addressed MRS. OWENS, asking if there had been any disclosure that the property would be annexed to the City. MRS. OWENS stated that she looked at all the paperwork that was signed, but there was nothing regarding the annexation. However, much later, she found in the title insurance paperwork, a document that was received a month subsequent to the closing of the house that vaguely addressed the issue but made reference to other documents that had been filed with the County. She had to do the research on her own.

MR. GENZER explained that this procedure was set by the City Council wherein the City is authorized to go in and, wherever property is annexable, follow the procedure. He said that sewer agreements go through the Land Development Department and are forwarded on to Planning and Development. When the property becomes available to process, the annexation is done.

COUNCILWOMAN McDONALD suggested to MRS. OWENS that she contact COUNCILMAN MACK and discuss her concerns since it will be his responsibility to make a motion on this item. MRS. OWENS affirmed that she had already spoken to COUNCILMAN MACK.

VAL STEED, Chief Deputy City Attorney, interjected that MRS. OWENS was correct regarding the NRS statutes relative to annexation. It does not allow piece mealing. He did say, however, that the City did everything they were supposed to do. The previous owner had requested sewer and the City could have said no, but since it is the City's policy to provide sewer services where the County does not, the request was granted. There is an understanding, however, that once the property becomes eligible for annexation, the owner cannot protest. That commitment is recorded with the land.

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 3 – Bill No. 2001-72

**MINUTES – Continued:**

CHIEF DEPUTY CITY ATTORNEY STEED replied that he believes one of two things occurred in this case; either the title company missed it or it just was not pointed out to the new owners.

MRS. OWENS stated that she does not believe the builder really had a choice. He had budgeted for a septic tank, but the NRS states that property within 400 feet of city sewer must hook up. There was no choice. CHIEF DEPUTY CITY ATTORNEY STEED believes that it is the developer's responsibility to understand the rules before investing.

COUNCILWOMAN McDONALD stated that the problem is that the property owner is already on the City Sewer System, indicating this will be a hard case and although it may have been the result of someone else's negligence, the property owner will still have to face the dilemma.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06 – 4:17)

**1-121**



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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2001-73** – Annexation No. A-0020-01(A) – Property Location: On the northeast corner of Fort Apache Road and Alexander Road; Petitioned By: Shearing Family Trust, et al; Acreage: 53.99 acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northeast corner of Fort Apache Road and Alexander Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 24, 2001) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2001-73 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. 2001-73 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

No one appeared in opposition.

RECOMMENDING MEETING OF JULY 30, 2001  
City Attorney  
Item 4 – Bill No. 2001-73

**MINUTES –Continued:**

There was no discussion

Councilman Weekly declared the Public Hearing closed.

(4:17 – 4:18)

**1-468**

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2001-74** – Annexation No. A-0042-01(A) – Property Location: On the southeast corner of Farm Road and Tenaya Way; Petitioned By: Coleman-Toll, Limited Partnership; Acreage: 161.51 acres; Zoned: R-E (County Zoning) R-E (City Equivalent); Sponsored by: Councilman Michael Mack

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southeast corner of Farm Road and Tenaya Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 24, 2001) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2001-74 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. 2001-74 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 5 – Bill No. 2001-74

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:18)

**1-486**

**AGENDA SUMMARY PAGE**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2001-75** – Revises certain business licensing fees and fee categories, and makes other minor revisions to existing licensing and permit regulations. Proposed by: Mark Vincent, Director of Finance and Business Services

**Fiscal Impact**

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**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will update business license fees and fee categories, primarily in order to achieve greater consistency with the fee structure for businesses in the unincorporated County. The bill includes a number of modest fee increases, none of which are deemed significant enough to require a business impact statement (e.g., approximately \$50 annually for professionals). The bill includes a few minor technical changes as well.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2001-75

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. 2001-75 be forwarded to the Full Council as amended, with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

JIM DiFIORE, Manager of Business Services Division, explained that this bill is the result of a cooperative effort with the County Business License Division for the purpose of identifying

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 6 – Bill No. 2001-75

**MINUTES – Continued:**

licensing inconsistencies in the business codes and for establishing standard fees and language to be used by both entities that will provide a uniformity for customers who operate multi-businesses, one which may be located in the City and one in the County.

MR. DiFIORE also explained that the code does allow for a modest increase of \$50 for license fees for the professional categories such as attorneys, engineers, architects and doctors. He says that the fees will still be less than Clark County; however, the bill makes recommended changes to definitions to be consistent with the State's definitions. The following business license increases are anticipated: Arcade and game room annual fees from \$50 to \$100 and \$25 to \$50 respectively.

This bill also provides the definition for Arts and Crafts Shows and allows for a mixture of the percentage of vendors (recommended at ten percent and not to be exceeded) that do not operate as arts and crafts vendors, such as food booths and incidental type booths. The proposed fees have been set at \$4 per day for arts and crafts exhibitors and \$7 for vendors selling other than arts and crafts. This bill also changes the fees for licensed parade vendors from \$50 per event to \$10 per day.

COUNCILMAN WEEKLY asked if there were any guidelines as to what types of products could be sold at parades, to eliminate a recurrence of an incident that he had witnessed where a parade participant was sprayed with silly string. MR. DiFIORE answered that he could work with the City Attorney's office to set the criteria for items that are sold and to restrict the sale of items that are not in keeping with the theme of the parade.

COUNCILMAN WEEKLY also asked whether or not there are restrictions that prohibit store proprietors from taking apart packaged goods such as beer, taping two cans together and offering this for sale. MR. DiFIORE could not confirm if this was in violation of the special use permit but he did offer to set the language that would prohibit any sale of single cans or any item not in its original manufactured packaging. COUNCILWOMAN McDONALD agreed that it undermines the system and it violates the no single sales intent.

ROBERT GENZER, Director of Planning and Development, affirmed that a letter was sent to the store proprietor informing him of the violation and asking him to cease all such sales. He also mentioned that a required review is scheduled for next month which will bring this store owner back before the City Council.

RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 6 – Bill No. 2001-75

**MINUTES – Continued:**

In closing, MR. DiFIORE also clarified that the proposed code will provide a definition for baby sitting services that includes the requirement that all employees working for that service must possess a work card.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:18 – 4:26)

**1-505**

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. Z-2001-1** – Amends the Official Zoning Map Atlas of the City of Las Vegas by changing the zoning designations of certain parcels of land. Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will amend the zoning map to change the zoning designations of approximately 17,000 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. Z-2001-1

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN McDONALD recommended Bill No. Z-2001-1 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development, explained that this bill would amend the zoning atlas by changing the zoning designations for approximately 17,000 residential parcels that have already been completely developed and have met all zoning, thus eliminating the ROI's.



RECOMMENDING COMMITTEE MEETING OF JULY 30, 2001

City Attorney

Item 7 – Bill No. Z-2001-1

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:26 – 4:27)

**1-769**

**RECOMMENDING COMMITTEE AGENDA**  
**RECOMMENDING COMMITTEE MEETING OF: JULY 30, 2001**

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

**MINUTES:**

None.

(4:27)

**1-796**

**MEETING ADJOURNED AT 4:28 P.M. (1-803)**

Respectfully submitted:\_\_\_\_\_

**DEENY ARAUJO**

**August 3, 2001**

*City of Las Vegas*